

**NEW HOPE PINES
STATE NATURAL AREA (No. 181)**

Acres, Location, and Boundary: Acres - 173; Quadrangle - New Hope 7.5'; County - Portage; Township - 24N Range - 10E; Section - 10 within N 1/2.

Natural Division: Central Oak - Pine Barrens and Meadow Plain.

Access: From the intersection of State Hwy. 66 and County Hwy. A on the east side of Rosholt, go south on County Hwy A 1.5 miles, then east on County Hwy. T 1 mile, then south on Sunset Road 1.5 miles to the site on the west side of the road. A small gated parking lot can be found on the northeast corner of the property.

Reason for Preservation: The site was identified in the county inventories as the largest and least-disturbed northern dry-mesic forest remaining in central Wisconsin.

Description: New Hope Pines is a northern dry-mesic forest dominated by white pine with red pine as a co-dominant in a few small areas. Other common trees are red oak, white oak, and red maple. Though the stand is generally "young" with only scattered old growth, the dominant white pines are more than 100 feet in height and range to more than two feet in diameter at breast height, with current estimates of more than 12,000 board feet per acre. Common groundlayer species include starflower, large-flowered trillium, Canada mayflower, partridge berry, and large-leaved aster. Interesting wildlife found on the site include raven, pileated woodpecker, and porcupine. The pines are in an area of irregular topography in ground moraine of the Cary stage of the Wisconsin Age of Glaciation. The main soil is Rosholt sandy loam overlying sandy glacial till.

Communities or Features Present	Acres	Significance
Northern Dry-Mesic Forest	166	State
Ephemeral Ponds	6	State
Oldfield	1	None

Compatible Uses: Group Use, Individual Nature Study, Research Use.

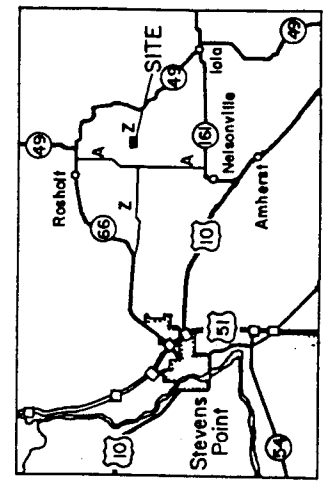
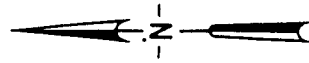
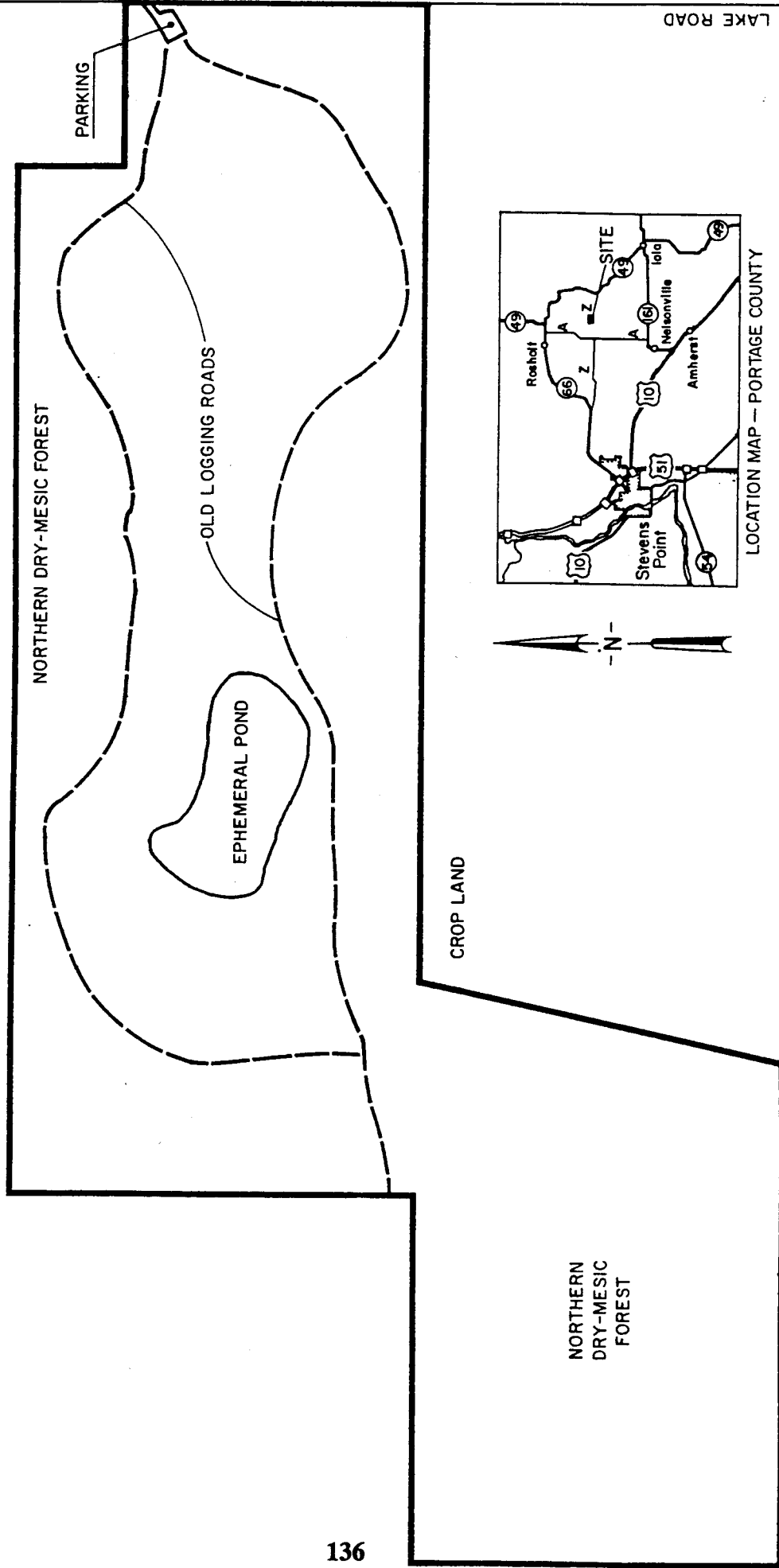
Land Control and Management: Land Control - DNR Endangered Resources. Manager - DNR Forester, DNR Ranger Station, 301 Cedar Street, Stevens Point 54481. This site does not require community management. Old logging roads are maintained to allow fire control.

Site History: The site was recommended by Ray Anderson, Bob Freckman, and Bill Patterson. Some limited selective cuttings and firewood removal has occurred and in 1938 the last cut of hardwoods was made. The site was designated a state natural area in May 1983. A plant species list and breeding bird survey are on file.

WISCONSIN DEPARTMENT OF NATURAL RESOURCES--BUREAU OF ENDANGERED RESOURCES
BOX 7921, MADISON, WI 53707

March 1989

NEW HOPE PINES STATE NATURAL AREA



LOCATION MAP — PORTAGE COUNTY



POPE LAKE STATE NATURAL AREA (No. 194)

Acres, Location, and Boundary: Acres-80; Quadrangle-King 7.5'; County-Waupaca; Township-21N Range-11E; Sections-5, part of N 1/2, within Hartman Creek State Park.

Natural Division: Central Oak-Pine Barrens and Meadow Plain.

Access: Within Hartman Creek State Park 3 miles west of King. Best access via hiking trail from Hartman Lake beach parking lot.

Reason for Preservation: The lake, rich in aquatics, is the only undeveloped water body in the heavily developed Chain-o-Lakes.

Description: Pope Lake is an undeveloped, deep, hard water lake, described in the Waupaca County Surface Water Inventory as 13.8 acres in size with a maximum depth of 40 feet, pH of 8.3, and total alkalinity of 177 ppm. This clear, marl-bottom lake contains chara, spatterdock, wild celery, and a good variety of pondweeds. Most of the adjacent wetlands are a northern wet forest of tamarack, poison sumac, and winterberry, but alder thicket is also found along the channels and the lake shore. Several upland islands support a northern dry-mesic forest of white pine and white and red oaks. Common bird species found near the lake are green-backed heron, great blue heron, sora, great crested flycatcher, eastern wood peewee, black capped chickadee, and goldfinch.

Communities or Features Present	Acres	Significance
Northern Dry-Mesic Forest	23	Division
Northern Wet Forest	31	Division
Alder Thicket	7	State
Lake - Shallow, Hard, Drainage	14	State
Pine Plantation	5	None

Compatible Uses: Research Use, Individual Nature Study, Boating or Canoeing, Fishing.

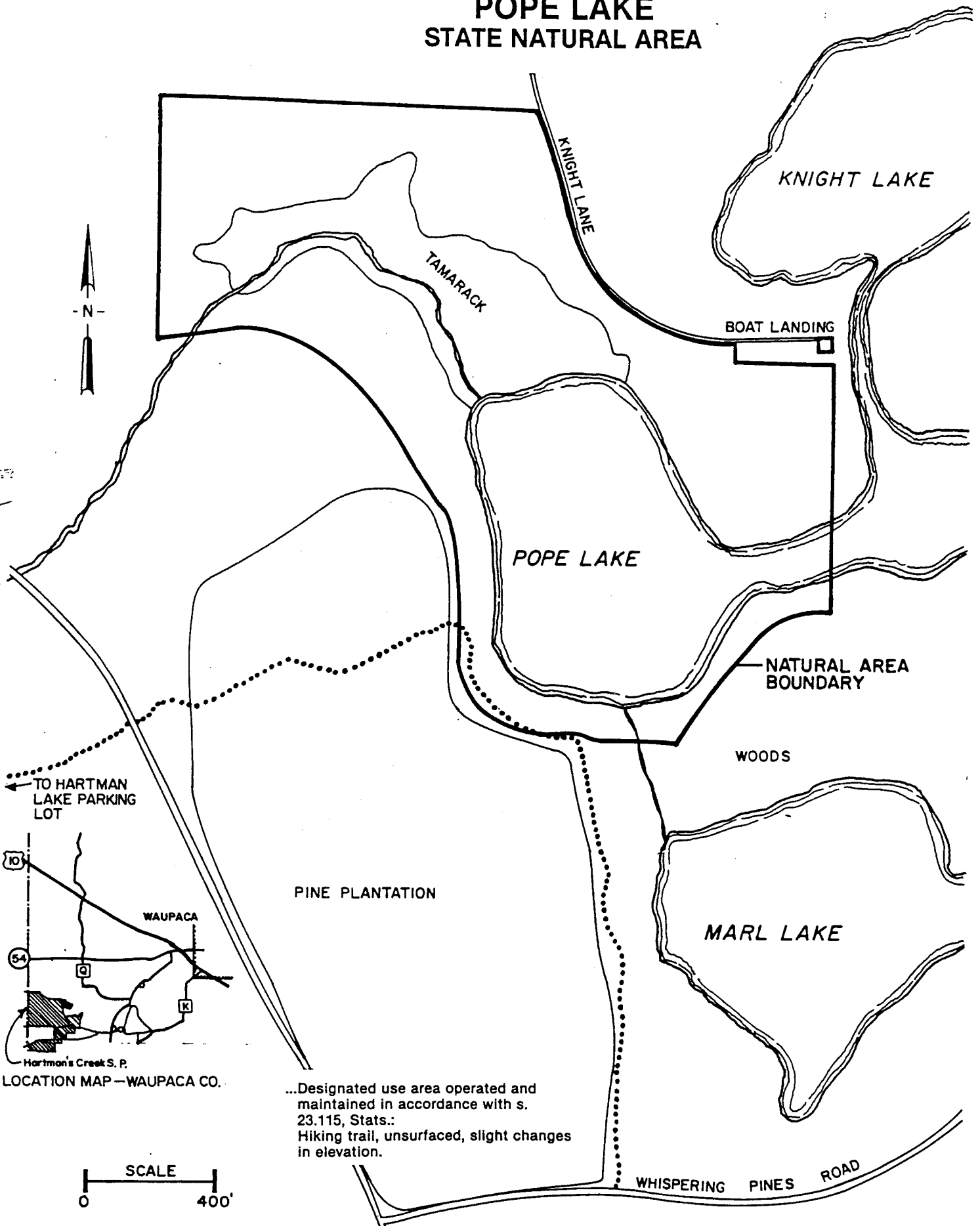
Land Control and Management: Land Control - DNR Parks and Recreation. Manager - Superintendent, Hartman Creek State Park, N2480 Hartman Creek Road, Waupaca 54981-9727. Purple loosestrife control is an ongoing parkwide program. A STATE PARK STICKER IS REQUIRED.

Site History: The uplands have been grazed, but the wetlands and the lake are in good condition. There has been some beaver activity in the past but no serious change in the lake level. The site was designated a state natural area in May 1984. A plant species list is on file.

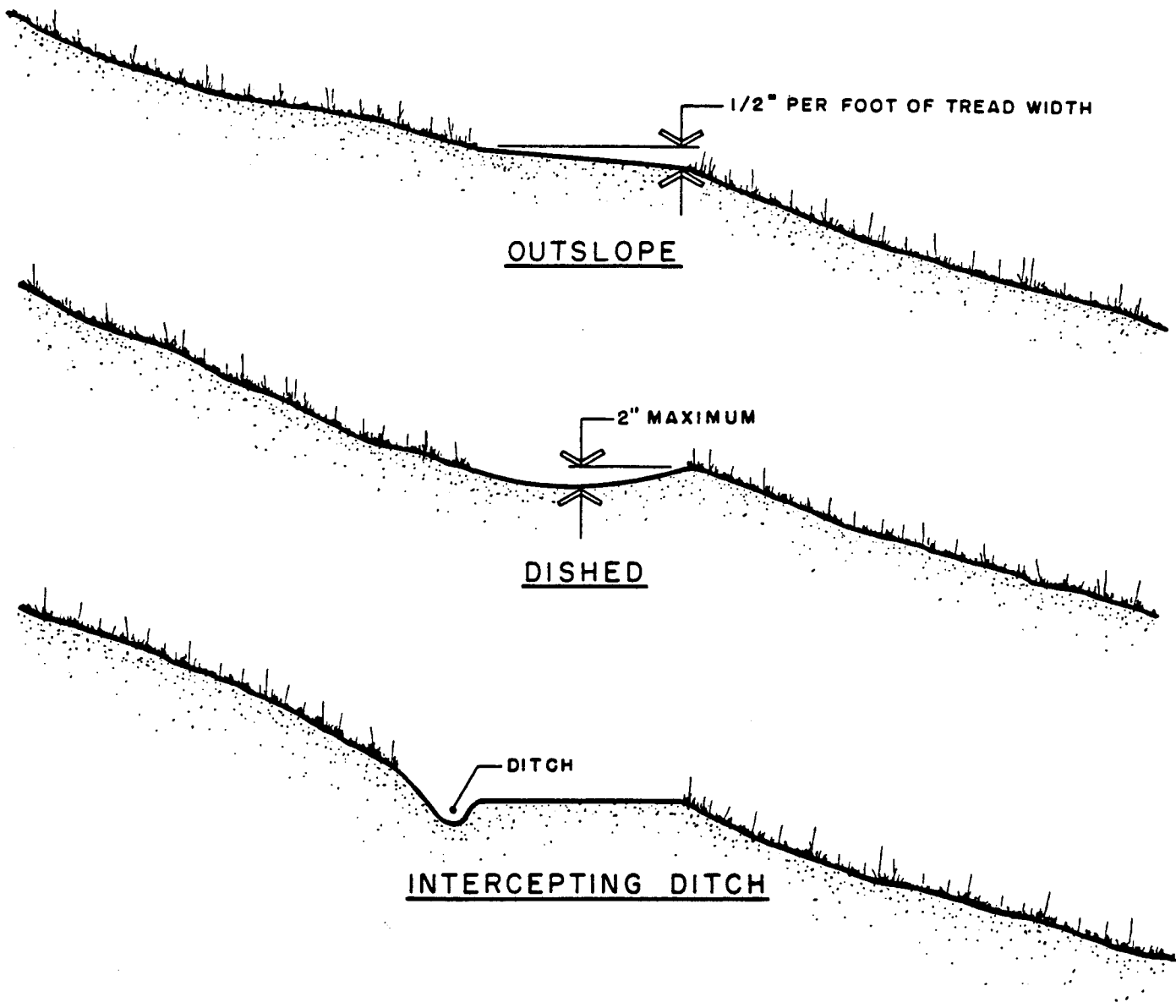
WISCONSIN DEPARTMENT OF NATURAL RESOURCES--BUREAU OF ENDANGERED RESOURCES
BOX 7921, MADISON, WI 53707

July 1989

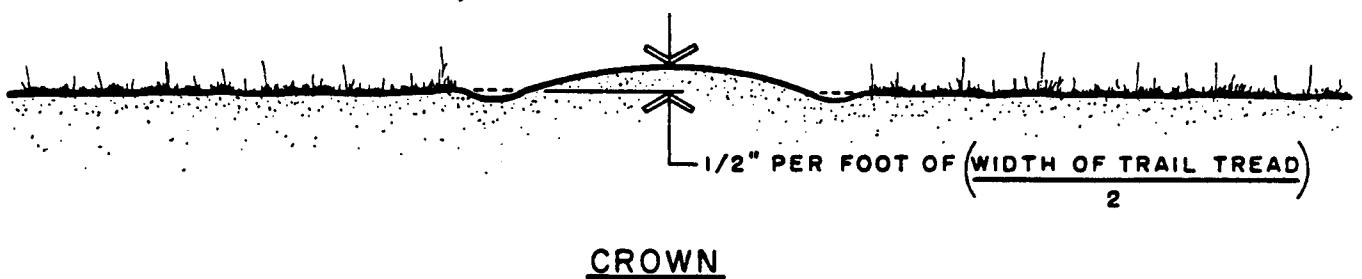
POPE LAKE STATE NATURAL AREA

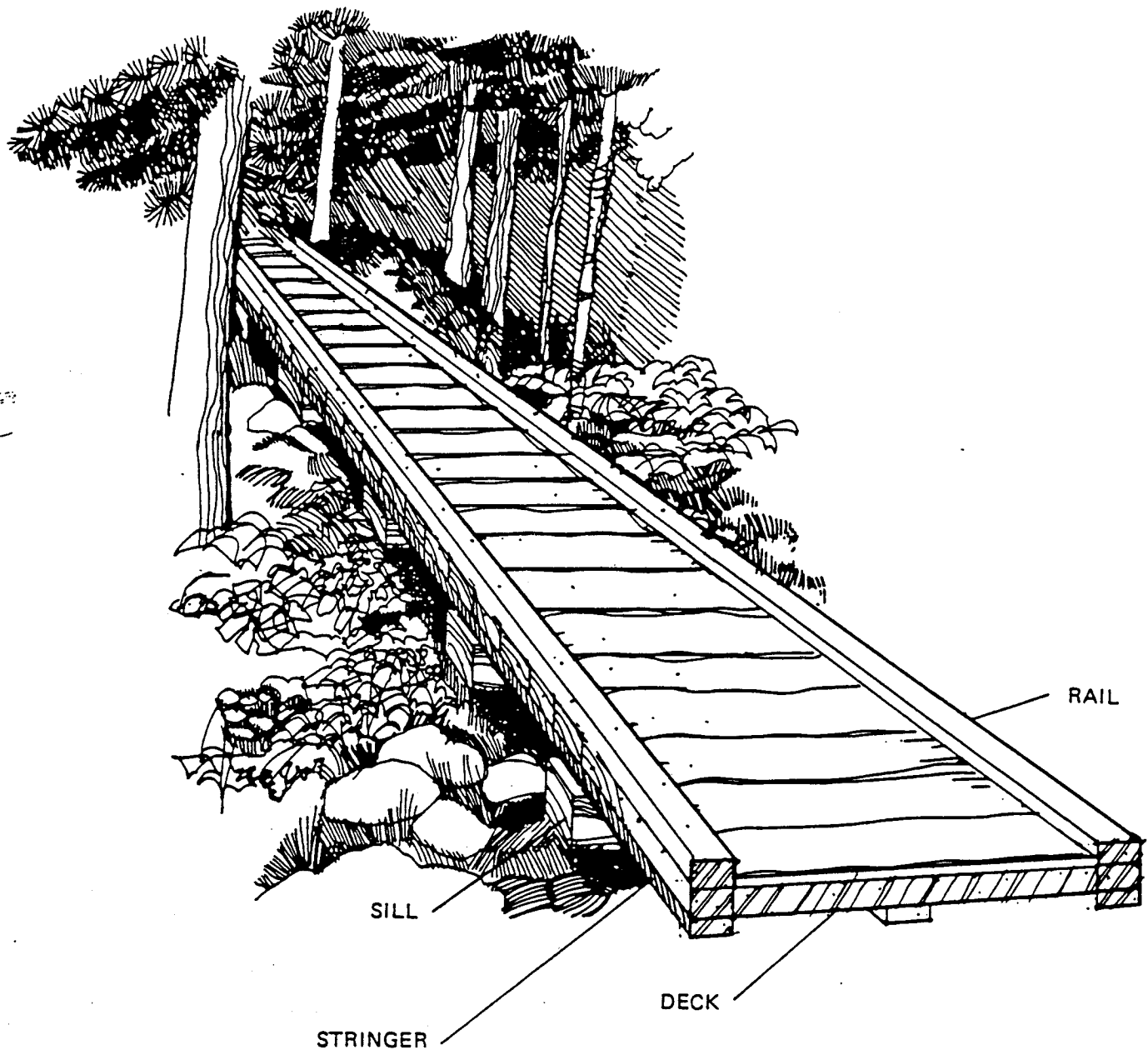


TYPICAL SECTIONS FOR SIDEHILL TRAIL CONSTRUCTION

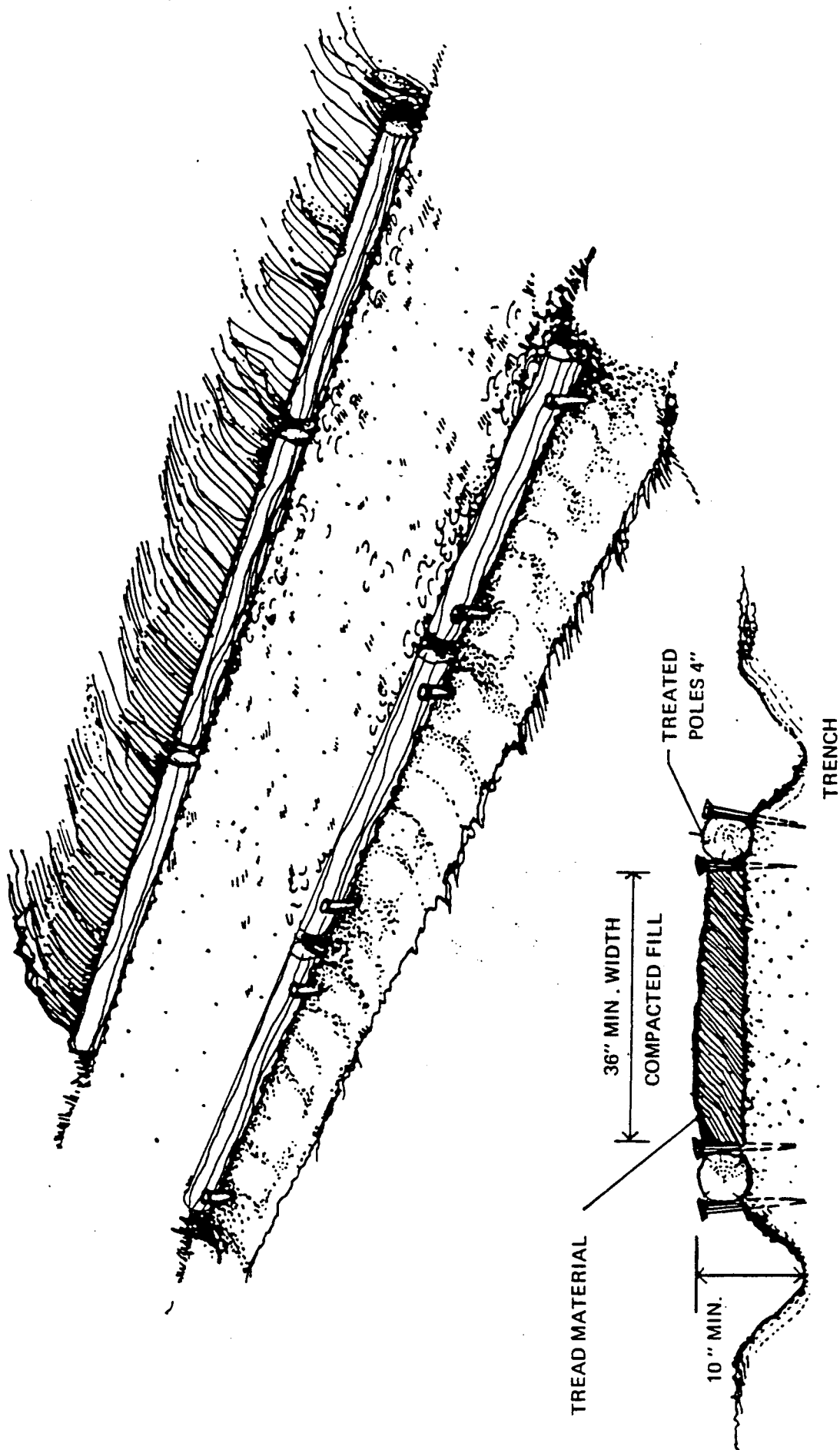


TYPICAL SECTION FOR LEVEL GROUND TRAIL CONSTRUCTION





built up puncheon
USING DIMENSION LUMBER



turnpike section



Attachment 5

QUESTIONS AND ANSWERS ABOUT THE ICE AGE TRAIL

WHAT IS THE ICE AGE TRAIL?

When completed, the Ice Age National Scenic Trail will be a 1000 mile greenway that traces features left by the last glacier that swept over Wisconsin. This greenway will stretch from Potawatomi State Park in Door County southward through the Kettle Moraine to Rock County, then north through Devil's Lake State Park and central Wisconsin to Langlade County, and finally west to Interstate Park on the Saint Croix River in Polk County. It is designed to preserve some of the finest features of Wisconsin's glacial landscape, as well as remnants of our native plant communities, while providing opportunities for low impact recreational and educational use. Nearly 500 miles of the Ice Age Trail, in segments from 2 to more than 40 miles long, are already open for public use.

The Ice Age Trail is one of only eight trails authorized by Congress to be National Scenic Trails. These are long distance, usually multi-state trails, like the Appalachian Trail, that follow major geographic features and scenic terrain. The Ice Age Trail is also Wisconsin's only State Scenic Trail, designated by an act of the Legislature in 1987.

HOW CAN THE TRAIL BE USED?

The Ice Age Trail is built primarily for pleasure walking and hiking, although some segments are also built for cross-country skiing. Portions of the Trail that follow state-owned rail/trails are governed by the rules for use of those trails. For example, where the Ice Age Trail follows the Sugar River State Trail the permitted uses are hiking, bicycling, cross-country skiing and snowmobiling. ATVs or other motorized wheeled vehicles are not permitted on any segment of the Ice Age Trail.

Hunting is permitted on the publicly-owned portions of the Trail in the Chequamegon National Forest, Kettle Moraine State Forest, county forests and state wildlife areas. Segments of the Trail on privately-owned land are open to hunting only by permission of the landowner.

WHAT LEVEL OF TRAIL USE CAN BE EXPECTED?

It is difficult to project the level of use for the Ice Age Trail through Dane County since use levels, specifically on private lands, is not available at this time. Based on patterns of use of other long distance trails, such as the Appalachian Trail, the Ice Age Trail segments located within or near populated areas will receive more use than those in remote areas. Also, as additional trail is developed and the trail becomes better known, increased use can be expected.

HOW IS THE ICE AGE TRAIL MANAGED?

The Ice Age National Scenic Trail is a cooperative project of many public agencies and private organizations. Three organizations share primary administrative responsibilities for the Ice Age Trail:

- **The National Park Service:**

The National Park Service has primary responsibility for planning the trail and interpreting the landscape through which it passes. The National Park Service provides color brochures describing the Trail and signs to mark its location. The Ice Age National Scenic Trail is administered from the National Park Service Trails office in Madison.

- **The Wisconsin Department of Natural Resources:**

The Wisconsin Department of Natural Resources directly maintains segments of the Trail through state owned lands, including nine state parks, two state forests and five state-owned rail/trails. It provides one-half of the funding to purchase trailway through the State Stewardship Fund. The Department also provides planning and land management assistance to other state agencies and the Ice Age Park and Trail Foundation.

- **The Ice Age Park and Trail Foundation:**

The Ice Age Park and Trail Foundation is the primary citizen's organization supporting the trailmaking effort. It was established in 1958 as a tax-exempt charitable membership organization to help preserve some of the best Ice Age features in Wisconsin by raising money and organizing volunteers to support development of the Ice Age Trail. Besides raising private funds to match the state funding for Trailway purchase, the Foundation is responsible for building and maintaining the Ice Age Trail across private and some public lands. This work is accomplished by volunteers from the Foundation, organized in local chapters along the Trail, and by cooperating civic organizations.

- **Other public agencies:**

Other public agencies have made significant contributions to portions of the Ice Age Trail. The Dane and Waukesha county parks departments are committed to acquiring lands and sharing management of the Trail through those counties. The United States Forest Service and a number of county and municipal parks and forestry departments maintain Trail segments passing through lands they administer. The Wisconsin Department of Transportation is responsible for providing safe trail crossings at the many state and federal highways that the Trail crosses.

HOW IS THE TRAIL BUILT AND MAINTAINED?

Construction and maintenance of the Trail is a cooperative effort of many public and private agencies. Volunteers organized by the Ice Age Park and Trail Foundation have built and continue to maintain much of the nearly 500 miles of trail now open for use. Work crews from publicly sponsored programs, such as the Wisconsin Conservation Corps, the Sprite program, and county youth conservation corps have built many miles of the trail.

Trail construction involves clearing a path through brush and woods, building bridges where needed, and installing signs to mark the location of the Trail. Trail maintenance is an ongoing activity. The Trail is patrolled and monitored by public agency land managers and the Ice Age Park and Trail Foundation to clear obstructions, remove litter and make any necessary repairs to bridges and signs.

Law enforcement along the trail is provided by county sheriff's departments and others that have legal jurisdiction over the areas through which the trail passes.

WHAT FACILITIES WILL BE PROVIDED FOR TRAIL USERS?

1) Camping facilities, either automobile accessible campgrounds or walk-in campsites, exist along the trail in national, state, and county forests and in state and county parks. As new segments of the Trail are developed, designated camping facilities for backpackers using the Trail may also be developed. Most often, these facilities will be located on public lands or on larger tracts of private lands adequately buffered from surrounding landowners.

2) Trail access parking areas have been provided along the Trail on many of the segments located on public land. Similar trailheads are included in the planning for new Trail segments yet to be built. These trailheads may also include toilets, drinking water, and informational sign boards.

3) Interpretive centers are located near the Trail in the Interstate Park, Chippewa Moraine and North Kettle Moraine units of the Ice Age National Scientific Reserve and in several state parks. Additional interpretive centers are planned for several other Ice Age Reserve units and interpretative signs will be placed at many scenic and geologically important points along the Trail.

IS A PERMANENT TRAIL RIGHT-OF-WAY BEING PRESERVED?

Yes. The Ice Age Park and Trail Foundation is actively acquiring permanent right-of-way for the Ice Age Trail greenway through donations and purchases of land. All transactions are strictly on a willing seller/donor basis; there is no obligation for any private landowner to either donate or sell land for the Ice Age Trail. Land purchases funded with assistance of the State Stewardship Program are based upon appraisals of fair market value made by independent appraisers. Donations of land or conservation easements to the foundation or the government for the Ice Age Trail are fully deductible for both federal and state income tax purposes, and may also release matching state funds to acquire additional lands.

ARE PROPERTY TAXES PAID ON LANDS ACQUIRED FOR THE ICE AGE TRAIL?

Yes. Land acquired for the Ice Age Trail does not go off the local tax rolls. The Ice Age Park and Trail Foundation pays property taxes on all the Ice Age Trailway land it owns. Since July 1, 1991, the Wisconsin Department of Natural Resources pays property taxes on all land dedicated to the State for the Ice Age Trail.

ARE LANDOWNERS LEGALLY LIABLE FOR INJURIES TO TRAIL USERS?

Wisconsin's very strong recreational liability law (Wisconsin Statutes 895.52) gives considerable protection from liability. Landowners who receive less than \$2,000 per year for allowing recreational use of their land are liable only for injuries caused by willful intent to harm recreationists. Landowners are not obligated to keep their property safe for recreational users. The Wisconsin Supreme Court has upheld the validity of this law, citing the Legislature's clear intent to encourage private landowners to open their lands to recreational use by the public. (A UW-Extension pamphlet describing the recreational liability law in more detail is available upon request).



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Green Bay ES Field Office
 1015 Challenger Court
 Green Bay, Wisconsin 54311-8331
 June 20, 1995

RECEIVED

JUN 23 1995

Memorandum

MADISON TRAILS OFFICE

To: Bureau of Indian Affairs, Minneapolis, MN
 Bureau of Indian Affairs, Ashland, WI
 Bureau of Land Management, Milwaukee, WI
 National Biological Service (NBS), Washington, DC
 NBS, Eastern Region, Kearneysville, West Virginia
 NBS, Environmental Management Technical Center, Onalaska, WI
 ✓ National Park Service, Madison, Madison, WI
 National Park Service, Omaha, Nebraska
 National Park Service, St. Croix Falls, WI
 U.S. Fish and Wildlife Service, Office of Information Transfer, Fort Collins, CO
 U.S. Fish and Wildlife Service, R3, Division of Endangered Species, St. Paul, MN (Attn: Bob Adair)
 U.S. Fish and Wildlife Service, R3, Division of Refuges, St. Paul, MN
 U.S. Fish and Wildlife Service, Necedah NWR (Attn: Dave Trudeau)
 U.S. Fish and Wildlife Service, Trempealeau NWR (Attn: Rich Fritsche)
 U.S. Fish and Wildlife Service, Ashland, WI
 U.S. Fish and Wildlife Service, R4, Division of Endangered Species, Atlanta, Georgia (Attn: Rick Gooch)
 U.S. Fish and Wildlife Service, R5, Division of Endangered Species, Hadley, MA (Attn: Debbie Mignogno)
 U.S. Forest Service, Milwaukee, WI

From: Field Supervisor, USFWS, ES Field Office, Green Bay, WI

Subject: Notice of Intent to Prepare an EIS Regarding the Incidental Take of the Karner Blue Butterfly in Wisconsin.

Attached, for your information is a Notice of Intent to Prepare an Environmental Impact Statement and accompanying Habitat Conservation Plan (HCP) pertaining to an anticipated permit application from the Wisconsin Department of Natural Resources (DNR). The Wisconsin DNR, on behalf of a number of parties, will be requesting a permit to allow the incidental take of the Karner blue butterfly (*Lycaeides melissa samuelis*) in the State of Wisconsin. The Karner blue butterfly is federally-listed as endangered.

Please note that informational meetings will be held in three locations in Wisconsin on June 27, 28, and 29, 1995.

For further information on the statewide HCP for the Karner blue butterfly please contact me or Ms. Catherine Carnes of my staff at the above address or call 414/433/3803.

Janet M. Smith
 Janet M. Smith

Attachment

The Karner blue butterfly was listed as an endangered species by the U.S. Fish and Wildlife Service in December of 1992. Because of the listing, the butterfly is protected by the federal Endangered Species Act which prohibits any incidental killing through any action without a permit. The largest populations of Karner blue butterflies in the nation occur in Wisconsin.

The U.S. Fish and Wildlife Service must review and approve the incidental take permit application based on the HCP submitted with the application.

- June 20, 1995 -

7410 Cry. Rd. K, Room 185; 3 p.m. to 6 p.m.

3. June 29, 1995; Eau Claire, WI at the South Middle School, 2115 Mitscher Ave., Auditorium; 3 p.m. to 6 p.m.

There will be a presentation at 3 p.m. at each meeting which will address the Karner blue butterfly, the background and history of the HCP development process, the information available on the presence of this species in Wisconsin, activities which may be affected by their presence, and strategies to conserve the species while allowing land use activities to continue. Submission of written and oral comment and questions will be accepted at the scoping meetings. Written comments regarding EIS scoping also may be submitted by August 30, 1995, to the address below.

FOR FURTHER INFORMATION CONTACT: Janet M. Smith, Field Supervisor, U.S. Fish and Wildlife Service, 1015 Challenger Court, Green Bay, Wisconsin 54311.

SUPPLEMENTARY INFORMATION: The Karner blue butterfly was listed by the Service as an endangered species in December, 1992. Because of its listing as endangered, the Karner blue butterfly population is protected by the Endangered Species Act's (Act) prohibition against "taking." The Act defines "take" to mean: to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in such conduct. "Harm" is further defined by regulation as any act that kills or injures wildlife including significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavior patterns, including breeding, feeding, or sheltering (50 CFR 17.3).

However, the Service may issue permits to carry out prohibited activities involving endangered and threatened species under certain circumstances. Regulations governing permits for endangered and threatened wildlife are at 50 CFR 17.22, 17.23, and 17.32.

The WDNR is preparing to apply to the Service for an incidental take permit pursuant to Section 10(a)(1)(B) of the Act, which authorizes the issuance of incidental take permits to non-Federal landowners. The largest populations of the Karner blue butterfly in the nation occur in this State. This permit would authorize the incidental take of the Karner blue butterfly, and, possibly, associated threatened or endangered species addressed in the HCP, during the course of conducting otherwise lawful land use or development activities on public and private land in

the State of Wisconsin. Although public and private entities or individuals have participated in development of the HCP and may benefit by issuance of an incidental take permit, the WDNR has accepted the responsibility of coordinating preparation of the HCP, submission of the permit application and coordination of the preparation and processing of an EIS for Service review and approval. The action to be described in the HCP is a program that will ensure the continued conservation of the Karner blue butterfly in the State of Wisconsin, while resolving potential conflicts that may arise from otherwise lawful activities that may involve this species and its habitat on non-Federal lands in the State of Wisconsin. The environmental impacts which may result from implementation of a conservation program described in the HCP or as a result of implementing other alternatives will be evaluated in the EIS. The WDNR and more than 30 other persons or entities are involved in the process of information gathering, development and preparation of the Section 10(a)(1)(B) permit application, NCP, and the EIS, which is being developed concurrently.

Development of the HCP will involve a public process that includes open meetings of the HCP team and its advisory subcommittees. Those involved in this effort include other State and Federal agencies; counties; towns; industries, utilities, foresters, lepidopterists and biologists; and representatives of various environmental and recreational use organizations. Conservation strategies to be applied to the lands will differ depending on the landowner, ownership objective and management capability. It is anticipated that implementation of the conservation strategies will be through an implementation agreement or cooperative agreement entered into by the landowner and the WDNR.

Alternatives

1. Statewide HCP and Incidental Take Permit (Proposed Action)

This alternative, the proposed action, seeks to address all lands which constitute potential Karner blue butterfly habitat and associated land uses in the State of Wisconsin, whether publicly or privately owned or large or small in size. Such lands include utility, highway and railroad rights-of-way; private and publicly owned forest lands; other publicly owned lands such as parks, fisheries and wildlife areas, and recreational use areas; and private and publicly owned land subject to other

Notice of Intent To Prepare an Environmental Impact Statement for a Permit Application to Incidentally Take the Endangered Karner Blue Butterfly in the State of Wisconsin

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of intent and meetings.

SUMMARY: The U.S. Fish and Wildlife Service (Service) is issuing this notice to advise the public that an Environmental Impact Statement (EIS) will be prepared regarding an application from the Wisconsin Department of Natural Resources (WDNR), Madison, Wisconsin, for a permit to allow the incidental take of the Karner blue butterfly (*Lycaeides melissa samuelis*) in the State of Wisconsin with an accompanying habitat conservation plan (HCP). This notice describes the conservation plan (proposed action) and possible alternatives, invites public participation in the scoping process for preparing the EIS, and identifies the Service official to whom questions and comments concerning the proposed action may be directed. Three public scoping meetings will be held in the State of Wisconsin on the following dates at the indicated locations and times:

1. June 27, 1995; Wisconsin Rapids, WI at City Hall, 444 W. Grand Ave., Council Chambers; 3 p.m. to 6 p.m.
2. June 28, 1995; Siren, WI at the Burnett County Government Center,

land uses including agriculture and development. This approach seeks to address conservation through a "grassroots" landowner effort. Individual conservation strategies of landowners may include:

1. Forest management and production strategies designed to assure no net loss of Karner blue butterfly habitat. However, specific areas of habitat may change;
2. Continued management of habitat through a maintenance and management scheme. Information on this species to date indicates that it is dependent on a disturbance regime, whether natural or otherwise. The species is found in such areas as tank trails on military training areas, timber sale or timber regeneration areas, highway or utility rights-of-way, and agricultural lands. There is evidence that some past and current practices in agriculture, forest management, military operations, right-of-way management, and wildlife management have been beneficial to the species. A "protection" strategy alone may result in the loss of habitat due to the natural maturation of other vegetation;
3. Barrens management which entails a scheme designed to maintain or restore barrens communities which may constitute habitat for a variety of species including the Karner blue butterfly;
4. Right-of-way maintenance regimes designed to minimize adverse effects on the Karner blue butterfly or enhance habitat through modification in mowing or clearing regimes, or burning;
5. Agricultural practices designed to maintain habitat; and
6. Other practices or strategies designed to maintain and, possibly, enhance habitat as science or practice confirms their effectiveness.

This alternative would incorporate the concept of "adaptive management." As science and conservation strategies evolve or demonstrate a need to change, the landowners would adapt or modify the conservation strategy as needed. Therefore, as science and information progress, so may the conservation strategies and efforts under the HCP and permit.

This alternative seeks authority for a long-term incidental take permit. The HCP will assure continued conservation measures as well as monitoring and reporting procedures, as required for issuance of an incidental take permit by the Service.

Service issuance of an incidental take permit will authorize land use activities to proceed without violating the Act. Landowners may participate in the HCP through cooperative agreements, certificates of inclusion, involvement in

one of the several WDNR private lands assistance programs, other cooperative programs by partners or participants in this conservation effort, or exemption from regulation based on the conservation program established under the HCP and permit. A coarse estimate of potential Karner blue butterfly habitat in the State would include about 25 percent of its acreage. About 12 percent may have a high potential to be Karner blue butterfly habitat.

II. Development of an HCP and Application for an Incidental Take Permit by one Landowner or a Consortium of Landowners or Organizations Not Constituting a Statewide Effort

This alternative may involve a single landowner, such as the WDNR or an industrial forest landowner. It may also involve a group of landowners, such as several industrial forest landowners or utilities. Any conservation strategy addressed in the proposed action alternative could be applied by the landowners involved under the same or similar facts or motives. Conservation strategies not discussed earlier could also be developed.

This alternative requires separate HCP development and application processes. Naturally, this approach would require separate permit review processes by the Service with the necessity of conducting separate environmental impact review procedures and documents.

Implementation and oversight would not likely involve the WDNR, which is the endangered resource regulatory agency for the State of Wisconsin, but would require oversight and implementation as described in the implementation agreements and permits.

III. Development of Short-term Incidental Take Permits

This alternative would seek to address the conservation program for this species for a period which is shorter than that anticipated in the proposed action alternative, which could extend for up to 30 years for willing landowners. Conservation strategies may be the same or similar as in the proposed action alternative, with the possibility of addressing the same land ownership, or some smaller element of land ownership.

IV. No Action Alternative

Under the No Action Alternative, no section 10(a)(1)(B) permit(s) would be issued and activities involving the take of the Karner blue butterfly would remain prohibited under Section 9 of the Act. Activities that would avoid the

take of the butterfly could continue. Proposed activities on non-Federal land that may affect the butterfly would require submitting an individual section 10(a)(1)(B) permit application to the Service. If a Federal action (e.g., proposed roadway) would affect the butterfly, incidental take could be allowed through the Section 7 consultation process and development of an incidental take statement if the action were determined to not jeopardize the continued existence of the species.

Issue Resolution and Environmental Review

The primary issue to be addressed during the scoping and planning process for the HCP and EIS is how to resolve potential conflicts between development or land management practices and listed (Federal or State) species in the State of Wisconsin. A tentative list of issues, concerns and opportunities has been developed. There will be a discussion of the potential effect, by alternative, which will include the following areas:

- (1) Karner blue butterfly and its habitat.
- (2) Other federally listed endangered or threatened species in the state of Wisconsin.
- (3) State listed endangered and threatened species in the State of Wisconsin.
- (4) Effects on other species of flora and fauna.
- (5) Socioeconomic effects.
- (6) Use of state, county and local public lands for Karner blue butterfly conservation.
- (7) Use of privately owned lands for Karner blue butterfly conservation.
- (8) Use of Federal lands.

Environmental review of the permit application will be conducted in accordance with the requirements of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*), National Environmental Policy Act regulations (40 CFR Parts 1500-1508), other appropriate Federal regulations, and Service procedures for compliance with those regulations. This notice is being furnished in accordance with Section 1501.7 of the National Environmental Policy Act, to obtain suggestions and information from other agencies, tribes, and the public on the scope of issues to be addressed in the statement. Comments and participation in this scoping process are solicited.

The draft environmental impact statement should be available to the public in the spring of 1996.

William F. Hartwig,

Regional Director, Region 3, U.S. Fish and Wildlife Service, Fort Snelling, MN.

[FR Doc. 95-13622 Filed 6-2-95; 8:45 am]

BILLING CODE 4310-55-M



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Green Bay ES Field Office
1015 Challenger Court
Green Bay, Wisconsin 54311-8331

RECEIVED

SEP 14 1995

September 12, 1995

MADISON TRAIL CORRIDOR

Memorandum

To: Regional Director, Midwest Region, National Park Service, Omaha, NE Attn: Gary Sullivan

From: Field Supervisor, ES Field Office, Fish and Wildlife Service, Green Bay, WI

Subject: Informal Consultation for the Ice Age National Scenic Trail Project, Wisconsin N1621(MWR-MN)

In a memo from this office dated March 10, 1995, the U.S. Fish and Wildlife Service (Service) requested further information about your proposed construction of a segment of the Ice Age National Scenic Trail, in Portage and Waupaca Counties, Wisconsin. This information was needed to complete consultation on possible impacts to the Karner blue butterfly (Lycaeides melissa samuelis), as specified under section 7 of the Endangered Species Act of 1973, as amended.

In the referenced memo, we informed you of several known locations of the Karner blue butterfly near your proposed trail route in the Town of Belmont, Portage County, and the Town of Dayton, Waupaca County, Wisconsin. At that time, we asked that a survey of potential Karner blue butterfly habitat be conducted along the proposed trail route, and a report on the survey be provided to this office.

On May 31, 1995, Mr. Joel Trick of this office, met in the field with National Park Service (NPS) personnel to review the proposed trail corridor for the presence of the Karner blue butterfly. On that date, the existing trail in the area of a previous known occurrence of the butterfly within Emmons Creek State Fishery Area, was surveyed for the butterfly. At this site, the trail has already been re-routed to avoid the area of wild lupine (Lupinus perennis) where the butterfly had been previously observed. No Karner blue butterflies were observed at this site on the date of inspection, and no evidence of feeding damage to the lupine was observed. It is possible that this colony of the butterfly is no longer extant at this site, or that they were not present at the time of the survey. As long as the re-routed trail route is used in this area, we believe that the National Park Service will avoid impacting butterflies which may possibly be present now or in the future at this site.

Several other locations were also surveyed on the same date, but no Karner blue butterflies or lupine were seen along the proposed trail corridor, except for the possible crossing of the Green Bay and Western Railroad Line at Elkins Road in the Town of Amherst, Portage County. At that site, a large patch of lupine occurs on a hillside on private property, to the north and east of the area of the proposed crossing. This site was not surveyed for the presence of the butterfly, but appears to possess the potential to support a population of Karner blue butterflies. In the event that a trail crossing occurs in this vicinity, impacts to Karner blue butterflies which may be present can be avoided by routing the trail at least 250 meters from any known lupine plants.

Although no Karner blue butterflies were observed at the sites visited on May 31, 1995, the potential exists for the butterfly to occur in other areas along your proposed trail route. Surveys are incomplete in most areas of the state,

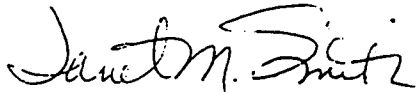
and it is possible that previously unknown colonies of the butterfly may be discovered in the area of the proposed trail route.

We recommend that after you have determined the preferred routing of the trail along the entire trail corridor, a survey be conducted for wild lupine in the vicinity of the proposed trail. We also recommend that any lupine areas found be surveyed for the butterfly. For those areas which are occupied by the butterfly, the presence of a trail in or near the lupine areas may result in take of the species. As defined in Section 9 of the Endangered Species Act, take means "... to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect any endangered fish or wildlife species, or to attempt to engage in any such conduct without an appropriate permit or special exemption.

As a guideline, the Service likely would not consider any trail which is at least 250 meters from a lupine area occupied by the Karner blue butterfly, to affect the butterfly. Consultation pursuant to Section 7 of the Act between the NPS and the Service should be initiated in the event that a listed or proposed threatened or endangered species may be affected. Once consultation is requested and sufficient information is received, the Service will prepare a Biological Opinion which will include an Incidental Take Statement with terms and conditions that will minimize likelihood of take and compensate for losses. The Incidental Take Statement will provide an exemption to NPS from the Act's Section 9 prohibitions of take if you comply with its reasonable and prudent measures and terms and conditions.

Please contact this office when the final trail route has been identified and has been surveyed for the presence of wild lupine. Further comments on the impact of this project on federally-listed endangered species will be provided at that time.

We appreciate the opportunity to respond. Questions pertaining to these comments can be directed to Mr. Joel Trick of my staff by calling 414-433-3803.


Janet M. Smith

cc: National Park Service, Madison Trails Office, Madison, WI
Attn: Pam Schuler (Address: 700 Rayovac Dr., Suite 100, Madison, WI)
WDNR, BER, Madison, WI Attn: Cathy Bleser

Joel's disc #9/ICEAGE2/JAT/jat



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Green Bay ES Field Office
1015 Challenger Court
Green Bay, Wisconsin 54311-8331

March 10, 1995

Memorandum

To: Regional Director, Midwest Region, National Park Service, Omaha,
NE Attn: Gary Sullivan

From: Field Supervisor, ES Field Office, Fish and Wildlife Service,
Green Bay, WI

Subject: Informal Consultation for the Ice Age National Scenic Trail
Project, Wisconsin N1621(MWR-MN)

The U.S. Fish and Wildlife Service (Service) has reviewed the information you provided for the subject project. We offer the following comments relative to potential effects of the project on endangered species.

ENDANGERED SPECIES ACT COMMENTS

A review of our files indicates that the following federally-listed species are present in Portage and Waupaca Counties:

<u>Classification</u>	<u>Common Name</u>	<u>Scientific Name</u>	<u>Habitat</u>
threatened	bald eagle	<u>Haliaeetus</u> <u>leucocephalus</u>	breeding and wintering
threatened	Fassett's locoweed	<u>Oxytropis</u> <u>campestris</u> var. <u>chartacea</u>	open sandy lakeshores
endangered	Karner blue butterfly	<u>Lycaeides</u> <u>melissa</u> <u>samuelis</u>	prairie, oak savanna and jack pine areas w/wild lupine

The bald eagle and Fassett's locoweed are not known to occur in the project area; however, numerous locations are known for the Karner blue butterfly within the project corridor. The butterfly is known from at least three locations near your proposed trail route, in the Town of Belmont, Portage County, and the Town of Dayton, Waupaca County, Wisconsin. The known locations are in Township 12 North, Range 10 East, Sections 12, 23 and 24; and also in Township 21 North, Range 11 East, Section 7.


In order to determine whether this project will affect the butterfly, we ask that a survey of potential Karner blue butterfly habitat be conducted along the proposed trail route, and a report on the survey be provided to this office. It will be especially important to note whether wild lupine (Lupinus perennis) is present and in what quantity. Wild lupine is the sole food plant of the larvae of the Karner blue butterfly. If wild lupine is present, we will then request the project area be surveyed for the butterfly during its two flight periods. We recommend that the vegetational survey be conducted during late May to early June, as this will coincide with the early flight of

the butterfly, and will also be during a period in which wild lupine is easily detected.

We suggest that after you have determined if and where wild lupine occurs along the trail corridor, the final routing of the trail be planned in such a manner as to avoid any lupine areas which may be present. This strategy would probably avoid any adverse effects to the butterfly, and could preclude the need to enter into formal consultation, as specified under section 7 of the Endangered Species Act of 1973, as amended.

Further comments on the impact of this project on federally-listed endangered species will be provided upon review of the results of this survey. Any observation of the Karner blue butterfly should also be reported. Please forward your report to the Fish and Wildlife Service's Green Bay Field Office.

We appreciate the opportunity to respond. Questions pertaining to these comments can be directed to Mr. Joel Trick of my staff by calling 414-433-3803.


Janet M. Smith

cc: National Park Service, Madison Trails Office, Madison, WI
Attn: Pam Schuler

The Wisconsin Karner Blue Butterfly Habitat Conservation Plan An Opportunity to Make a Difference

The DNR is launching an ambitious program to insure the long term conservation of the Karner blue butterfly in Wisconsin. This program, the Karner blue butterfly Habitat Conservation Plan (HCP) is the first HCP developed for multiple landowners and landusers on a statewide scale. This HCP promises to bring together environmental and economic interests in a meaningful, focused way. The DNR seeks your participation to shape and strengthen this plan. They are interested in forming a partnership with other individuals and organizations who are interested in this butterfly and conservation of its habitat.

What is a Habitat Conservation Plan?

A HCP is a detailed plan that provides for the conservation of a federally listed endangered species under the federal Endangered Species Act (ESA). Section 10 of the ESA provides this mechanism for landowners, enabling them to carry out activities on their lands even though those activities may take an endangered species or alter its habitat. In exchange, landowners agree to the provisions of the plan and agree to implement it.

The Wisconsin Karner blue butterfly HCP

This HCP will aim to integrate Karner blue butterfly conservation with existing land uses. It will identify ways for landowners to carry out activities on their lands that will avoid or minimize harm to the butterfly and its habitat. The plan will also identify conservation strategies that will contribute to the recovery of the butterfly in Wisconsin. The DNR will serve as the lead applicant and will form partnerships with other landowners. The partners, as a group, will agree to implement the plan.

The statewide scope of the HCP has several advantages. It pools economic and land resources across the public and private sectors and allows for landscape scale conservation planning. It also streamlines the permit process; with one permit application, rather than potentially many, being brought forward to the U.S. Fish and Wildlife Service.

How can you be involved in the plan?

The development of this statewide HCP will require the dedicated effort of many different people and organizations. The DNR has identified three levels of participation

1. **Full Partner:** *A partner should meet one of the following criteria:*

*Own existing or potential habitat or have ownership interest (i.e. easements)
Have an economic interest at risk
Be involved in implementing the HCP (e.g. ASCS, municipalities)*

2. **Participants:**

*Serve in an advisory capacity
Have a scientific interest in protection and recovery of the Karner blue
Be fully involved in discussions during the plan implementation
Expected to be prepared when attending meetings
Would not have a vote in decisions*

3. **Interested party:**

An interested party will receive regular mailings on the development of the HCP. They may attend meetings on an infrequent basis.

*A broad coalition of interest in this plan will add to its strength and effectiveness.
If you have an interest in being involved please contact:*

Dave Lentz — ~~Kathy Trudell~~, HCP Coordinator
Wisconsin Department of Natural Resources
P.O. Box 7921
Madison, WI 53707



United States Department of the Interior



NATIONAL PARK SERVICE

Ice Age, North Country, and
Lewis and Clark National Trails
700 Rayovac Drive, Suite 100
Madison, Wisconsin 53711

IN REPLY REFER TO:

L6017(IATR)

AUG 30 1994

Dear Public Official:

Enclosed is a letter summarizing the Ice Age National Scenic Trail's June Open House Meetings that were held to present the proposed corridor and alternative routes to the public. This letter is being mailed to all landowners located within the proposed corridor. If you have any questions or concerns regarding the open houses or the trail, please call me at 608-264-5610.

Sincerely,

Pamela Schuler
Coordinator, Ice Age
National Scenic Trail

Enclosures 2



(L6017)IATR

ICE AGE NATIONAL SCENIC TRAIL

A Cooperative Partnership

Dear Landowners and Interested Individuals:

It has been some time since our June Open House Meetings for the proposed Waupaca/Portage Counties Ice Age National Scenic Trail segment and we are still receiving comments. However, before too much time passes we would like to express our appreciation and thanks for taking the time and interest to attend our meetings and/or to provide written comments regarding the proposed corridor and alternative trail routes. Your comments have been very thoughtful and helpful to us. All of them are being carefully reviewed. Also, we want to provide you with an overview of the public's comments to the proposed corridor, clarify some critical issues, and brief you on the next steps required to complete the planning process in Waupaca and Portage Counties.

As you are aware, the open house meetings and planning process purposes are to: identify a preferred route for the trail that generally follows the moraines and other significant glacial features, i.e., kames, kettles, drumlins; fit the trail into the landscape considering such things as scenic vistas, linkages with public lands, and other significant resources; identify any unacceptable environmental impacts which may result from trail construction by writing an environmental assessment; and involve the public to obtain any knowledge which they may have that influences the decision on where the trail should be located, and to increase their general knowledge and support of the trail.

For those of you who did not attend the open house meetings, all of them followed a similar format. Presentations about the history and mission of the Ice Age National Scenic Trail as well as an overview of the proposed corridor for the Waupaca and Portage Counties segment were given with a question and answer period. Maps and aerial photos of the proposed corridor were on display for viewing. Representatives from the National Park Service, Wisconsin Department of Natural Resources, and Ice Age Park and Trail Foundation were on hand to answer questions about the trail. Below are some general facts and observations regarding the open houses.

- o The number of people who signed in for all three meetings totaled 96. Many of these people were accompanied by family or friends. This number represents 11% of the 752 landowners within the corridor.
- o Verbal comments were obtained from all interested individuals attending the open houses. The number of written comments received to-date is 40.



National Park Service
Ice Age, North Country, and
Wisconsin and Clark National Trails
100 Rayovac Drive, Suite #100
Madison, Wisconsin 53711
8-264-5610



Wisconsin Department of Natural Resources
Bureau of Parks and Recreation
101 South Webster Street
Box 7921
Madison, Wisconsin 53707
608-266-2181



Ice Age Park and Trail Foundation, Inc.
23770 West Capital
P.O. Box 423
Pewaukee, Wisconsin 53072-0423
414-691-2776

- o Based on verbal and written comments, it is apparent that a sizeable amount of land within the corridor is used for recreational and hunting purposes. This is understandable given that approximately 25% of the landowners live outside the corridor either in nearby communities; close large urban areas, i.e., Stevens Point, Appleton; or in the greater Milwaukee area. Approximately 7% live out of state as far away as Florida, California, and Alaska.
- o Of the eight sets of alternative trail routes proposed, there was no clear preference for choosing one over the other.

During the open houses and through the comment sheets a number of questions and concerns were raised regarding development of the trail. If you were not able to attend the open houses, below are the most common questions and the corresponding response.

1. Corridor - Exactly what is the corridor and what are its legal ramifications?

The corridor is an opportunity zone within which the Wisconsin Department of Natural Resources may make grants to the Ice Age Park and Trail Foundation to buy land rights from willing sellers for the trail, or within which the Wisconsin Department of Natural Resources may acquire or accept lands for dedication for the Ice Age Trail. The corridor itself has no legal standing; it is not a recorded instrument. It simply defines the limits of the National Park Service's, Wisconsin Department of Natural Resources', and Ice Age Park and Trail Foundation's involvement with the project. The corridor was deliberately designed wide enough so that if one landowner is not interested in the project, maybe his or her neighbor will be. There is no intention of acquiring the entire corridor, just a trailway that is approximately 50 - 1,000 feet in width depending on circumstances and natural resource features. As stated previously, lands for the trail will be acquired only from willing sellers; designation of a corridor carries no threat which would cause a landowner to change their lifestyle.

2. Alternatives - What does it mean if an alternative crosses my land?

The Ice Age National Scenic Trail has been part of the landscape in Waupaca and Portage Counties for many years. Today, of the estimated 50 miles of trail that will eventually span both counties, over 17 miles are developed and open for public use. To complete the Waupaca/Portage Counties Ice Age Trail segment, the trail's planners have proposed a few alternatives within the proposed corridor. These alternatives were carefully designed to provide the user with an educational, aesthetic, and physical experience by linking significant geologic and natural features, capturing outstanding vistas, and winding through a diverse landscape composed of hills and valleys, woods and open fields.

Ultimately one of the alternatives will be chosen as the preferred route. Since the implementation of the preferred route is totally dependent on amenable landowners, the trail may not follow this exact route. If a landowner on the preferred route agrees/desires to be part of the Ice Age Trail project, they will be fully involved in determining exactly where the trail crosses their land.

3. Uses - What uses are allowed on the trail? How are undesirable uses controlled?

The primary uses of the Waupaca/Portage Counties Ice Age Trail segment are hiking, backpacking, snowshoeing and where designated, cross country skiing. Horses, bikes, and ATV's will not be allowed on this portion of the trail. If necessary, various structures such as stiles, gates, or fences can be strategically placed along the trail to discourage undesirable uses from occurring.

4. Maintenance/Enforcement - Who is responsible for developing and maintaining the trail? Who controls trespass?

Development and maintenance of the trail is the responsibility of the Ice Age Park and Trail Foundation volunteers. Both Waupaca and Portage Counties have strong, active chapters that have built and managed over 17 miles of trail in both counties since the early 1980's. Trail construction generally consists of clearing and brushing a path that is approximately 2-4 feet in width. Once a trail is developed, the chapters have scheduled workdays to keep the trail cleared and signed. They also monitor the trail for safety and misuse. Trespass off of the trail is rare. Hikers tend to have a strong land ethic and respect the rights of others. Should law enforcement be needed, it is provided by the county sheriff's department and others who have legal jurisdiction over the areas through which the trail passes, including the Department of Natural Resources on lands that they own.

5. Hunting - Will the trail be closed during hunting season?

Because of the popularity of hunting in both Portage and Waupaca counties, the existing trail segments are closed during the gun-deer hunting season. As new trail is built, it will comply with this policy.

6. Liability Concerns - What happens if someone is injured while using the trail on my property?

If you sell your land to the Ice Age Park and Trail Foundation or Wisconsin Department of Natural Resources for Ice Age Trail purposes, then the liability rests with them. If you do not sell any property but rather grant permission for the trail to cross your land you will be covered by the Wisconsin liability law, Wisconsin Statutes 895.52. This law protects landowners who receive less than \$2,000 for allowing recreational use of their land and do not willfully harm recreationists. Enclosed is a copy of the University of Wisconsin Extension pamphlet describing the recreational liability law in greater detail.

7. Natural Resource Impact - Will hikers impact sensitive natural habitats?

An important objective of the trail is to preserve and enhance significant resource areas. To meet this objective, we have included within the corridor a number of areas with unusual or significant plants with the hope of assuring their continuation through preservation of the land. However while some natural areas can handle human intrusion without being degraded, others cannot. The trail would not be built through a very sensitive site, but rather around it on land that would be used as buffer. Also, the Wisconsin Department of Natural Resources, Bureau of Endangered Resources is reviewing our corridor plans to assure that we do not infringe on any endangered or threatened species. It is our hope that in the future, as development continues to occur in the countryside, the Ice Age Trail trailway will be a refuge for a diversity of species to thrive and flourish.

8. Timetable - What is the timetable for completing the planning process?

Because of the large size of this project, with so many agencies and individuals involved, our timetable for the planning process has a certain amount of flexibility to allow feedback from all involved parties. However, our current projection shows us, hopefully, taking the final corridor plan to the Wisconsin Natural Resources Board for their approval in late spring or early summer of 1995. Currently, we are in the phase of the planning process where an environmental assessment is being

written to evaluate the corridor and alternative trail routes. The assessment will not be completed until late this fall. After the environmental assessment is complete, the Planning Team will recommend a preferred route. This will be the final plan. The final plan will then be given to county park commissions and town boards, for their review at the end of this year and early next year. In the spring of 1995 another series of open house meetings will be held for landowners within the corridor. At this time the environmental assessment will be available for review.

9. Implementation of plan once the planning is complete - Who will be responsible for implementing the plan? When will acquisition of effected lands begin?

Once the final corridor plan is approved by the Wisconsin Natural Resources Board, the Ice Age Park and Trail Foundation becomes the driving force in implementation, primarily through an active real estate program. Working closely with Portage and Waupaca County Chapters, the following steps would be taken:

1. Preliminary contact with landowners along the preferred trail route to determine their level of interest.
2. Prioritization of the segments and individual parcels within the trail route for more formalized contact.

The types of agreements that allow the trail to cross a landowner's property can include a variety of easements (including conservation easements), fee simple, options to purchase, among others. However, since the Ice Age Park and Trail Foundation, a private organization, is dependent upon donations and grants for their funding, the actual timing of land acquisition activities will also be dependent upon available funding.

The National Park Service, Wisconsin Department of Natural Resources, and Ice Age Park and Trail Foundation recognize that the development of a project such as this will take a very long time. It will not be completed in the next year or the next several years. It will happen slowly as landowner agreements are reached and may take 10, 20, or even 50 years before a trail might reach 100% completion. This is not unusual for projects of this size. Some of our National Parks, for example, have been established since the early 1900's, but some parcels still remain to be acquired. In the meantime, where lands cannot be acquired, the Trail will be established on a temporary basis, routed along road right-of-ways and on areas of less than permanent rights.

I hope this information has been useful and has answered many of your questions. If you would still like to comment, please send letters to the National Park Service, 700 Rayovac Drive, Suite 100, Madison, Wisconsin 53711.

Sincerely,



Pamela J. Schuler
Coordinator, Ice Age
National Scenic Trail
National Park Service



William Moorman
Ice Age Coordinator
Wisconsin Department of
Natural Resources



Nancy Sandstrom
Executive Director
Ice Age Park and
Trail Foundation